

Please amend the above-identified application as follows:

### **REMARKS**

The element of “central data acquisition system” has been added to Claim 1 to provide an antecedent basis. Claims 1-46 remain in the Application. The claims have been amended to clarify the phrase “capable of” by changing it to “adapted for.”

The Examiner has allowed claims 1-36, which have been amended to correct an objection by the Examiner as noted above. Claim 6 has also been amended to clarify that the system tracks the dynamics IP address in the ID code.

The Examiner indicated that claims 38-40 would be allowable if rewritten in independent form. Claims 38 and 39 have been written in independent form.

Claims 37 and 44 have been rejected under 35 U.S.C. § 102b as anticipated by McGarry et al. (U.S. Patent No. 6,038,491). Claims 37 and 44 have been amended to distinguish over McGarry et al. The identification codes mentioned by McGarry are carrier identification codes, an electronic serial number of the modem/cellular transceiver in the vending machine and a system identification code. The carrier identification codes are assigned by the FCC, while the electronic serial numbers are assigned by the manufacturer of the cellular transceiver and the system identification codes are assigned by any of the regulatory bodies in the cellular industry. Claims 37 and 44 have been amended by substituting the term IP address for the term identification code. Support for this change is found in paragraph 0039, lines 4-9 on page 12 of the Specification. Applicants’ second identification code is comprised of a MIN/MISDN and a dynamic IP address, which means that the latter may be changed randomly or at predetermined times by the cellular carrier. Applicants’ dynamic IP addresses are completely different from the codes referred to in McGarry et al.

McGarry et al. refers to vending machines where, depending on the location of the vending machine and the carrier or carriers involved, the three codes he refers to may have to be changed so that the telemetry device in the vending machine can be functional. McGarry et al. refers to older cellular communication protocols such as CDPD, which is designed to work with the AMPS analog cellular network, RAM Mobitex and ARDIS.

McGarry et al. does not mention or suggest the use of dynamic IP addresses. CDPD uses fixed IP addresses. Mobitex and ARDIS use special numbers and network-assigned fixed IP addresses. McGarry’s system must be adapted to automatically update carriers and

system IDs depending upon the vending machine's location in the country. McGarry et al. does not mention changing the ESNs. In fact, they cannot be changed. The ESNs are always transmitted by the cellular carrier in the unsolicited message stream between the cellular device and the mobile switching center (MSC).

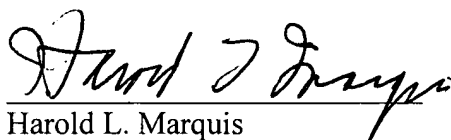
Claims 41-43 are allowable as Claim 37 has been amended to make it allowable and these claims are dependent upon Claim 37.

Consequently, all the claims in this Application, namely claims 1-46 are allowable. An early allowance of all the claims is respectfully requested.

### **CONCLUSION**

Applicants respectfully request that all outstanding objections and rejections be withdrawn and that this application and all presently pending claims be allowed to issue. If the Examiner has any questions or comments regarding Applicants' response, the Examiner is encouraged to telephone Applicants' undersigned counsel.

Respectfully submitted,



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